Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

DD/A Registry
81-1265

Executive Registry

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM: Harry E. Fitzwater
Deputy Director for Administration

SUBJECT: Department of Defense Consideration of Modification of Special Background Investigations

REFERENCE: Memorandum from the Deputy Secretary of Defense to Secretaries of Military Departments, Chairman of the Joint Chiefs of Staff, and Directors of Defense Agencies, dated June 8, 1981, titled "Degradation of Operational Readiness/Mission Accomplishment Due to Personnel Security Investigative Shortfalls"

1. Action Requested: It is urged that you bring to the Director's attention Subject memorandum, which reflects Department of Defense (DoD) consideration of clearance standards inconsistent with those established by DCID 1/14.

2. Background: The DoD has been forced to contend with the inability of the Defense Investigative Service (DIS) to cope with its investigative case load with available resources. Figures cited in Reference illustrate exacerbation of the problem. Among other measures, the Deputy Secretary of Defense has directed that background investigations associated with access to collateral Top Secret information will be limited to the "Personnel Interview-Oriented Background Investigation." This decision permits the granting of a Top Secret clearance on the basis of a favorable personal (not a polygraph) interview with little or no field inquiry. As this would apply to access to material, the unauthorized disclosure of which could cause exceptionally grave damage to the national security, the counterintelligence implications are appalling and all too obvious. Limiting security criteria to the ability to create a favorable impression in an interview situation represents an open invitation to hostile services.

Unilateral application of the "new type BI" discussed above to SCI access by the DoD would, of course, conflict with the established and accepted authority of the DCI. While

OS 1 1274

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

application at this point is a matter under study, a policy decision within DoD can be expected in early July 1981. This suggests immediacy in terms of DCI involvement. The situation is all the more serious in that the trend to decompartment SCI will purge such material of all that is not pure "gold." As a result, future access to SCI should, if anything, require even higher standards than those of the present DCID 1/14.

3. Recommendation: It is believed that this matter should be brought to the attention of the DCI and that favorable consideration be given to his discussing this issue at the Cabinet level.

STAT

Harry E. Fitzwater

Attachment:
DCID 1/14

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

DCID No. 1/14
13 May 1976

DIRECTOR OF CENTRAL INTELLIGENCE DIRECTIVE NO. 1/14[1]

MINIMUM PERSONNEL SECURITY STANDARDS AND PROCEDURES GOVERNING ELIGIBILITY FOR ACCESS TO SENSITIVE COMPARTMENTED INFORMATION

(Effective 13 May 1976)

Pursuant to the provisions of Executive Order 12036, E.O. 12065 Section 102 of the National Security Act of 1947 and National Security Council Directives, the following minimum personnel security standards, procedures and continuing security programs are hereby established for all United States Government civilian and military personnel, consultants, contractors, employees of contractors and other individuals who require access to Sensitive Compartmented Information[2] (hereinafter referred to as SCI). The standards, procedures and programs established herein are minimum and the departments and agencies may establish such additional security steps as may be deemed necessary and appropriate to ensure that effective security is maintained.

Purpose

1. The purpose of this Directive is to enhance the security protection of SCI through the application of minimum security standards, procedures and continuing security programs, and to facilitate the security certification process among Government departments and agencies.

Applicability

2. The provisions of the Directive shall apply to all persons (other than elected officials of the United States Government, federal judges and those individuals for whom the DCI makes a specific exception) without regard to civilian or military status, form of employment, official rank or position or length of service.

3. Individuals who do not meet the minimum security criteria contained herein and who are, therefore, denied access to SCI shall not, solely, for this reason, be considered ineligible for access to other classified information. Individuals whose access to SCI has been authorized as an exception granted in accordance with paragraph 7 below, shall not, solely for that reason, be considered eligible for access to other classified information.

[1]This directive supersedes DCID 1/14 approved 1 July 1968.

[2]The term "Sensitive Compartmented Information" as used in this Directive is intended to include all information and materials bearing special community controls indicating restricted handling within present and future community intelligence collection programs and their end products for which community systems of compartmentation have been or will be formally established. The term does not include Restricted Data as defined in Section 11, Public Laws 585, Atomic Energy Act of 1954, as amended.

COPY No 264

ATTACHMENT

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

General

4. The granting of access to SCI shall be controlled under the strictest application of the "need-to-know" principle under procedures prescribed in the several existing authorities which govern access thereto, and in accordance with the personnel security standards and procedures set forth in this Directive. All persons accountable under the authority of this Directive and given access to information (SCI) containing sources or methods of intelligence shall, as a condition of obtaining access, sign an agreement that they will not disclose that information to persons not authorized to receive it.

Personnel Security Standards

5. Criteria for security approval of an individual on a need-to-know basis for access to SCI are as follows:

a. The individual shall be stable, of excellent character and discretion and of unquestioned loyalty to the United States.

b. Except where there is a compelling need and a determination has been made by competent authority as described in paragraph 7 below that every reasonable assurance has been obtained that under the circumstances the security risk is negligible:

(1) Both the individual and the members of his or her immediate family shall be US citizens. For these purposes "immediate family" is defined as including the individual's spouse, parents, brothers, sisters and children.

(2) The members of the individual's immediate family and persons to whom he is bound by affection or obligation should neither be subject to physical, mental or other forms of duress by a foreign power, nor advocate the use of force or violence to overthrow the Government of the United States or the alteration of the form of Government of the United States by unconstitutional means.

6. In exceptional cases, the Senior Intelligence Officer (SIO) of the Intelligence Community organization, or his designee, may determine that it is necessary or advisable in the National interest to authorize access to SCI prior to completion of the fully prescribed investigation. In this situation such investigative checks as are immediately possible shall be made at once, and should include a personal interview by trained security or counterintelligence personnel. Access in such cases shall be strictly controlled, and the fully prescribed investigation and final evaluation shall be completed at the earliest practicable moment.

Exceptions

7. The exceptions to paragraph 5.b.(1)(2) above may be granted only by the SIO or his designee, unless such authority has been specifically delegated to the head of an office of organization as set forth in inter-departmental agreements. All exceptions granted will be common sense determinations based on all available information, and shall be recorded by the agency making the exception. In those cases in which the individual has lived outside of the United States for a substantial period of his life, a thorough assessment of the adequacy of the investigation in terms of fulfillment of the

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

minimum investigative requirements, and judicious review of the information therein must be made before an exception is considered.

Investigative Requirements

8. The investigation conducted on an individual under consideration for access to SCI will be thorough and shall be designed to develop information as to whether the individual clearly meets the above Personnel Security Standards.

9. The investigation shall be accomplished through record checks and personal interviews of various sources by trained investigative personnel in order to establish affirmatively to the adjudicating agency complete continuity of identity to include birth, residences, education, employments and military service. Where the circumstances of a case indicate, the investigation shall exceed the basic requirements set out below to ensure that those responsible for adjudicating access eligibility have in their possession all the relevant facts available.

10. The individual shall furnish a signed personal history statement, fingerprints of a quality acceptable to the Federal Bureau of Investigation and a signed release, as necessary, authorizing custodians of police, credit, education and medical records, to provide record information to the investigative agency. Photographs of the individual shall also be obtained where additional corroboration of identity is required.

11. Minimum standards for the investigation are as follows:

a. Verification of date and place of birth and citizenship.

b. Check of the subversive and criminal files of the Federal Bureau of Investigation, including submission of fingerprint charts, and such other National agencies as are appropriate to the individual's background. An additional check of Immigration and Naturalization Service records shall be conducted on those members of the individual's immediate family who are United States citizens other than by birth or who are resident aliens.

c. A check of appropriate police records covering all areas where the individual has resided in the US throughout the most recent fifteen (15) years or since age eighteen, whichever is the shorter period.

d. Verification of the individual's financial status and credit habits through checks of appropriate credit institutions and interviews with knowledgeable sources covering the most recent five (5) years.

e. Interviews with neighbors in the vicinity of all the individual's residences in excess of six (6) months throughout the most recent five (5) year period. This coverage shall be expanded where the investigation suggests the existence of some questionable behavioral pattern.

f. Confirmation of all employment during the past fifteen (15) years or since age eighteen, whichever is the shorter period but in any event the most recent two years. Personal interviews with supervisors and co-workers at places of employment covering the past ten (10) years shall be accomplished.

COPY Nº 264

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

g. Verification of attendance at institutes of higher learning in all instances and at the last secondary school attended within the past fifteen (15) years. Attendance at secondary schools may be verified through qualified collateral sources. If attendance at educational institutions occurred within the most recent five(5)years, personal interviews with faculty members or other persons who were acquainted with the individual during his attendance shall be accomplished.

h. Review of appropriate military records.

i. Interviews with a sufficient number of knowledgeable acquaintances (a minimum of three developed during the course of the investigation) as necessary to provide a continuity to the extent practicable, of the individual's activities and behavioral patterns over the past fifteen years with particular emphasis on the most recent five years.

j. When employment, education or residence, has occurred overseas (except for periods of less than five (5) years for personnel on US Government assignment and less than ninety days for other purposes) during the past fifteen years or since age eighteen, a check of the records will be made at the Department of State and other appropriate agencies. Efforts shall be made to develop sources, generally in the United States, who knew the individual overseas in order to cover significant employment, education or residence and to attempt to determine if any lasting foreign contacts or connections were established during this period. However, in all cases where an individual has worked or lived outside of the US continuously for over five years, the investigation will be expanded to cover fully this period in his life through the use of such investigative assets and checks of record sources as may be available to the US Government in the foreign country(ies) in which the individual resided.

k. In those instances in which the individual has immediate family members or other persons with whom he is bonded by affection or obligation in any of the situations described in subparagraph 5.b.(2), above, the investigation will include an interview of the individual by trained security, investigative or counter-intelligence personnel to ascertain the facts as they may relate to the individual's access eligibility.

l. In all cases the individual's spouse shall at a minimum be checked through the subversive files of the Federal Bureau of Investigation and other National agencies as appropriate. When conditions indicate, additional investigation shall be conducted on the spouse of the individual and members of the immediate family to the extent necessary to permit a determination by the adjudicating agency that the provisions of paragraph 5, Personnel Security Standards, above, are met.

m. A personal interview of the individual will be conducted by trained security, investigative or counterintelligence personnel when necessary to resolve any significant adverse information and/or inconsistencies developed during the investigation.

12. Where a previous investigation has been conducted within the past five years which substantially meets the above minimum standards, it may serve as a basis for

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

granting access approval provided a review of the personnel and security files does not reveal substantive changes in the individual's security eligibility. If a previous investigation does not substantially meet the minimum standards or if it is more than five years old, a current investigation shall be required but may be limited to that necessary to bring the individual's file up-to-date in accordance with the investigative requirements set forth in paragraph 11 above. Should new information be developed during the current investigation which bears unfavorably upon the individual's activities covered by the previous investigation, the current inquiries shall be expanded as necessary to develop full details of this new information.

13. Programs shall be instituted requiring the periodic reinvestigation of personnel provided access to SCI. These reinvestigations will be conducted on a five-year recurrent basis, but on a more frequent basis where the individual has shown some questionable behavioral pattern, his activities are otherwise suspect, or when deemed necessary by the SIO concerned.[3]

14. The scope of reinvestigations shall be determined by the SIO concerned based on such considerations as the potential damage that might result from the individual's defection or willful compromise of SCI and the availability and probable effectiveness of other means to continually evaluate factors related to the individual's suitability for continued access. In all cases, the reinvestigation shall include, as a minimum, appropriate National agency checks, local agency (including overseas checks where appropriate), credit checks and a personal discussion with the individual by trained investigative, security or counterintelligence personnel when necessary to resolve significant adverse information or inconsistencies.

15. The evaluation of the information developed by investigation on an individual's loyalty and suitability shall be accomplished under the cognizance of the SIO concerned by analysts of broad knowledge, good judgment and wide experience in personnel security and/or counterintelligence. When all other information developed on an individual is favorable, a minor investigative requirement which has not been met should not preclude favorable adjudication. In all evaluations the protection of the national interest is paramount. Any doubt concerning personnel having access to SCI shall be resolved in favor of the national security. The ultimate determination of whether the granting of access is clearly consistent with the interests of national security shall be an overall common sense determination based on all available information.

Continuing Security Programs

16. In order to facilitate the attainment of the highest standard of personnel security and to augment both the access approval criteria and the investigative requirements established by this Directive, member departments and agencies shall institute continuing security programs for all individuals having access to SCI. In addition to security indoctrinations, these programs shall be tailored to create mutually supporting procedures under which no issue will escape notice or be left unresolved which brings into question an individual's loyalty and integrity or suggests the possibility of his being subject to undue influence or duress through foreign

[3] In DoD, an SIO may request, with the approval of the Secretary of Defense or his designee, more frequent reinvestigations under special circumstances.

COPY Nº 264

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

relationships or exploitable personal conduct. When an individual is assigned to perform sensitive compartmented work requiring access to SCI, the SIO for the department, agency or Government program to which the individual is assigned shall assume security supervision of that individual throughout the period of his assignment.

17. The continuing security programs shall include the followings:

a. Security education programs to ensure that individuals who are granted access to SCI are initially indoctrinated and periodically thereafter instructed as to its unique sensitivity and that they understand their personal responsibility for its protection. The individual should be instructed that the ultimate responsibility for maintaining eligibility for continued access to SCI rests with the individual. Therefore, the individual is encouraged to seek appropriate guidance and assistance on any personal problem or situation which may have a possible bearing on his eligibility for continued access to SCI, and security counseling should be made available. These instructions should be conducted by individuals having extensive background and experience regarding the nature and special vulnerabilities of the particular type of compartmented information involved.

b. Security supervisory programs to ensure that supervisory personnel recognize and discharge their special responsibility in matters pertaining to the security of SCI, including the eligibility for SCI access. Such programs shall provide practical guidance as to indicators which may signal matters of security concern. Specific instructions concerning reporting procedures shall be disseminated to enable the appropriate authority to take timely corrective action to safeguard the security of the United States as well as to provide all necessary help to the individual concerned to neutralize his vulnerability.

c. Security Review Programs to ensure that appropriate security authorities invariably receive and exchange, in a timely manner, all information bearing on the security posture of persons having access to sensitive information. Personnel history information shall be kept current. Security and related files shall be kept under continuing review.

18. Whenever adverse or derogatory information is discovered or inconsistencies arise which could impact upon an individual's security status, appropriate investigations shall be conducted on a timely basis. The investigation shall be of sufficient scope necessary to resolve the specific adverse or derogatory information, or inconsistency, in question so that a determination can be made as to whether the individual's continued utilization in activities requiring SCI is clearly consistent with the interests of the national security.

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0

Effective Date

19. This Directive supersedes DCID 1/14, 1 July 1968. Existing directives,[4] regulations, agreements and such other references governing access to SCI as defined herein shall be revised accordingly.

---

[4]These include pertinent provisions of the Clearance Standards and Investigation and Evaluation sections of the Communications Intelligence Security Regulations.

GEORGE BUSH
Director of Central Intelligence

COPY Nº 264

Approved For Release 2007/04/24 : CIA-RDP84B00049R001403590014-0